vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.367 OF 2006
IN
CRIMINAL APPEAL NO. OF 2005

a/w
CRIMINAL APPLICATION NO.2083 OF 2006
IN
CRIMINAL APPEAL NO. OF 2005

The State of Maharashtra ... Appellant

V/s.

Baburao Bapu Tandale & Ors. ... Respondents

Mr.D.R. More, APP, for Appellant
None for Respondents

CORAM: **V.G. PALSHIKAR, Ag. C.J. & SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 11, 2006**

P.C.:

. Application for condonation of delay allowed for reasons mentioned therein. Delay condoned.

2. By Application No.2083 of 2006, the State impugns the order passed by the Sessions Judge, Islampur in Appeal No.15 of 2000 in which the learned Sessions Judge on appreciation of evidence came to the conclusion that conviction of the accused was not proper and he therefore, proceeded to acquit them. It is this order which is impugned in this Application.

3. We have on record an order of conviction and an order of acquittal delivered by two Courts of competent

jurisdiction which obviously demonstrates that two views as have already been taken were possible. In such circumstances, no interference is called for. Application for leave to appeal is rejected.